



PATENT
Attorney Docket No. 05725.1422-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Véronique FERRARI et al.) Group Art Unit: 1615
Application No.: 10/528,698) Examiner: Michael P. Woodward
Filed: March 22, 2005)
For: LIPSTICK COMPRISING A) Confirmation No.: 4617
SEQUENCED POLYMER)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached.

Copies of the U.S. patent publications and co-pending applications are not enclosed.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With respect to the non-English language documents, Applicants have the following remarks:

1. DE 100 22 247: This document is believed to be related to U.S. Publ. No. 2003/0113285, cited on the attached form PTO/SB/08.
2. DE 100 29 697: This document is believed to be related to U.S. Publication No. 2004/014872, cited on the attached form PTO/SB/08.
3. EP 0 648 485: This document is believed to be related to U.S. Patent No. 5,538,717, cited on the attached form PTO/SB/08.
4. EP 0 955 039: This document is believed to be related to U.S. Patent No. 6,491,927, cited on the attached form PTO/SB/08.
5. EP 1 068 856: This document is believed to be related to U.S. Patent No. 6,960,339, cited on the attached form PTO/SB/08.
6. EP 1 082 953: An English Language Derwent Abstract of this document is submitted herewith.
7. EP 1 159 950: An English Language Derwent Abstract of this document is submitted herewith.
8. EP 1 192 930: This document is believed to be related to U.S. Publication No. 2002/0061319, cited on the attached form PTO/SB/08.
9. FR 2 296 402: This document is believed to be related to U.S. Patent No. 4,030,512, cited on the attached form PTO/SB/08.
10. FR 2 710 552: This document is believed to be related to U.S. Patent No. 5,681,877, cited on the attached form PTO/SB/08.
11. FR 2 722 380: This document is believed to be related to U.S. Patent No. 6,059,473, cited on the attached form PTO/SB/08.

12. **FR 2 727 609**: This document is believed to be related to U.S. Patent No. 5,879,095, cited on the attached form PTO/SB/08.
13. **FR 2 761 959**: This document is believed to be related to U.S. Patent No. 6,386,781, cited on the attached form PTO/SB/08.
14. **FR 2 775 566**: An English Language Derwent Abstract of this document is submitted herewith.
15. **FR 2 775 593**: This document is believed to be related to U.S. Patent No. 6,238,679, cited on the attached form PTO/SB/08.
16. **FR 2 791 042**: This document is believed to be related to U.S. Patent No. 6,484,731, cited on the attached form PTO/SB/08.
17. **FR 2 791 987**: This document is believed to be related to U.S. Patent No. 6,552,146, cited on the attached form PTO/SB/08.
18. **FR 2 792 618**: This document is believed to be related to U.S. Patent No. 6,328,495, cited on the attached form PTO/SB/08.
19. **FR 2 796 529**: This document is believed to be related to U.S. Patent No. 6,581,610, cited on the attached form PTO/SB/08.
20. **FR 2 798 061**: An English Language Derwent Abstract of this document is submitted herewith.
21. **FR 2 803 743**: An English Language Derwent Abstract of this document is submitted herewith.
22. **FR 2 806 273**: This document is believed to be related to U.S. Patent No. 6,843,611, cited on the attached form PTO/SB/08.

23. **FR 2 809 306**: This document is believed to be related to U.S. Patent No. 6,805,872, cited on the attached form PTO/SB/08.
24. **FR 2 814 365**: This document is believed to be related to U.S. Publication No. 2002/076425, cited on the attached form PTO/SB/08.
25. **FR 2 816 503**: This document is believed to be related to U.S. Publication No. 2003/017182, cited on the attached form PTO/SB/08.
26. **FR 2 823 103**: This document is believed to be related to U.S. Publication No. 2003/017124, cited on the attached form PTO/SB/08.
27. **FR 2 832 719**: An English Language Derwent Abstract of this document is submitted herewith.
28. **FR 2 832 720**: This document is believed to be related to U.S. Publication No. 2005/0020779, cited on the attached form PTO/SB/08.
29. **WO 93/01797**: This document is believed to be related to U.S. Patent No. 5,519,063, cited on the attached form PTO/SB/08.
30. **WO 01/03538**: An English Language Derwent Abstract of this document is submitted herewith.
31. **WO 02/05765**: This document is believed to be related to U.S. Publication No. 2004/0052752, cited on the attached form PTO/SB/08.
32. **WO 02/080869**: This document is believed to be related to U.S. Publication No. 2004/093676, cited on the attached form PTO/SB/08.
33. **WO 04/028489**: An English Language Derwent Abstract of this document is submitted herewith.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 21, 2006

By:


Thalia V. Warnement
Reg. No. 39,064

SEP 9 2006

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			
Sheet	1	of	5
		Attorney Docket Number	
05725.1422-00000			

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No.	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <i>(if known)</i>			
	1	US-2002/0015611	02/07/2002	BLONDEEL et al.	
	2	US-2002/0018759	02/14/2002	PAGANO et al.	
	3	US-2002/0035237	03/21/2002	LAWSON et al.	
	4	US-2002/0055562	05/09/2002	BUTUC	
	5	US-2002/0061319	05/23/2002	BERNARD et al.	
	6	US-2002/0076425	06/20/2002	MONDET et al.	
	7	US-2002/0115780	08/22/2002	MOUGIN	
	8	US-2003/0017124	01/23/2003	AGOSTINI et al.	
	9	US-2003/0017182	01/23/2003	TOURNILHAC	
	10	US-2003/0021815	01/30/2003	MONDET et al.	
	11	US-2003/0113285	06/19/2003	MEFFERT et al.	
	12	US-2003/0124074	07/03/2003	MOUGIN et al.	
	13	US-2004/0014872	01/22/2004	RAETHER	
	14	US-2004/0052752	03/18/2004	SAMAIN et al.	
	15	US-2004/0093676	05/20/2004	VIDAL et al.	
	16	US-2005/0020779	01/27/2005	MOUGIN et al.	
	17	US-4,030,512	06/21/1977	PAPANTONIOU et al.	
	18	US-4,887,622	12/19/1999	GUERET	
	19	US-5,110,582	05/05/1992	HUNGERBUHLER et al.	
	20	US-5,266,321	11/30/1993	SHUKUZAKI	
	21	US-5,468,477	11/21/1995	KUMAR et al.	
	22	US-5,492,426	02/20/1996	GUERET	
	23	US-5,519,063	05/21/1996	MONDET et al.	
	24	US-5,538,717	07/23/1996	DE LA POTERIE	
	25	US-5,681,877	10/28/1997	HOSOTTE-FILBERT et al.	
	26	US-5,725,882	03/10/1998	KUMAR et al.	
	27	US-5,772,347	06/30/1998	GUERET	
	28	US-5,783,657	07/21/1998	PAVLIN et al.	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Complete if Known

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	10/528,698
Sheet	2	of	5	Filing Date	March 22, 2005
				First Named Inventor	Veronique FERRARI
				Art Unit	1615
				Examiner Name	Michael P. Woodward
				Attorney Docket Number	05725.1422-00000

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		Number-Kind Code (<i>if known</i>)			
	29	US-5,783,657	07/21/1998	PAVLIN et al.	
	30	US-5,879,095	03/09/1999	GUERET	
	31	US-6,059,473	05/09/2000	GUERET	
	32	US-6,074,654	06/13/2000	DRECHSLER et al.	
	33	US-6,083,516	07/04/2000	CURTIS et al.	
	34	US-6,106,820	08/22/2000	MORRISSEY et al.	
	35	US-6,153,206	11/28/2000	ANTON et al.	
	36	US-6,160,054	12/12/2000	SCHWINDEMAN et al.	
	37	US-6,174,968	01/16/2001	HOXMEIER	
	38	US-6,225,390	05/01/2001	HOXMEIER	
	39	US-6,228,967	05/08/2001	FOST et al.	
	40	US-6,238,679	05/29/2001	DE LA POTERIE et al.	
	41	US-6,267,951	07/31/2001	SHAH et al.	
	42	US-6,268,466	07/31/2001	MACQUEEN et al.	
	43	US-6,303,105	10/16/2001	SHAH et al.	
	44	US-6,328,495	12/11/2001	GUERET	
	45	US-6,386,781	05/14/2002	GUERET	
	46	US-6,484,731	11/26/2002	LACOUT	
	47	US-6,491,927	12/10/2002	ARNAUD et al.	
	48	US-6,552,146	04/22/2003	MOUGIN	
	49	US-6,581,610	06/24/2003	GUERET	
	50	US-6,805,872	10/19/2004	MOUGIN	
	51	US-6,843,611	01/18/2005	BLONDEEL et al.	
	52	US-6,960,339	11/01/2005	FERRARI	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation
		Foreign Patent Document Country Code Number Kind Code (<i>if known</i>)			
	53	DE 100 22 247	11/15/2001	MEFFERT et al.	English Counterpart
Examiner Signature					Date Considered

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**INFORMATION DISCLOSURE
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(Use as many sheets as necessary)

Sheet	3	of	5	Attorney Docket Number	05725.1422-00000
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Complete if Known

Application Number	10/528,698
Filing Date	March 22, 2005
First Named Inventor	Veronique FERRARI
Art Unit	1615
Examiner Name	Michael P. Woodward

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	54	DE 100 29 697	12/20/2001	RAETHER		English Counterpart
	55	EP 0 295 886	12/21/1988	HARASHIMA et al.		
	56	EP 0 648 485	04/19/1995	DE LA POTERIE		English Counterpart
	57	EP 0 751 170	01/02/1997	OHNO et al.		
	58	EP 0 955 039	11/10/1999	ARNAUD et al.		English Counterpart
	59	EP 1 068 856	01/17/2001	FERRARI et al.		English Counterpart
	60	EP 1 082 953	03/14/2001	DE LA POTERIE		Abstract
	61	EP 1 159 950	12/05/2001	ARNAUD		Abstract
	62	EP 1 192 930	04/03/2002	BERNARD		English Counterpart
	63	FR 2 296 402	11/30/2001	PAPANTONIOU		English Counterpart
	64	FR 2 710 552	04/07/1995	HOSOTTE-FILBER et al.		English Counterpart
	65	FR 2 722 380	01/19/1996	GUERET		English Counterpart
	66	FR 2 727 609	06/07/1996	GUERET		English Counterpart
	67	FR 2 761 959	10/16/1998	GUERET		English Counterpart
	68	FR 2 775 566	09/10/1999	RICHARD		English Counterpart
	69	FR 2 775 593	09/10/1999	DE LA POTERIE		English Counterpart
	70	FR 2 791 042	09/22/2000	LACOUT		English Counterpart
	71	FR 2 791 987	10/13/2000	MOUGIN		English Counterpart
	72	FR 2 792 618	10/27/2000	GUERET		English Counterpart
	73	FR 2 796 529	01/26/2001	GUERET		English Counterpart
	74	FR 2 798 061	03/09/2001	DE LA POTERIE		Abstract
	75	FR 2 803 743	07/20/2001	BIVER et al.		Abstract
	76	FR 2 806 273	09/21/2001	BLONDEEL et al.		English Counterpart
	77	FR 2 809 306	11/30/2001	MOUGIN		English Counterpart
	78	FR 2 814 365	03/29/2002	MONDET et al.		English Counterpart

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	79	FR 2 816 503	05/17/2002	TOURNILHAC		English Counterpart
	80	FR 2 823 103	10/11/2002	AGOSTINI et al.		English Counterpart
	81	FR 2 832 719	05/30/2003	MOUGIN		Abstract
	82	FR 2 832 720	05/30/2003	MOUGIN et al.		English Counterpart
	83	GB 1 324 745	07/25/1973	PAPANTONIOU et al.		
	84	WO 93/01797	02/04/1993	MONDET et al.		English Counterpart
	85	WO 97/17057	05/15/1997	DRECHSLER et al.		
	86	WO 98/38981	09/11/1998	MORRISON et al.		
	87	WO 98/42298	10/01/1998	CURTIS et al.		
	88	WO 00/26285	05/11/2000	HEALY et al.		
	89	WO 00/28948	05/25/2000	MORRISSEY et al.		
	90	WO 00/40216	07/13/2000	MACQUEEN et al.		
	91	WO 01/03538	01/18/2001	LE JOLIFF et al.		Abstract
	92	WO 01/30886	05/03/2001	GORMLEY et al.		
	93	WO 01/95871	12/20/2001	SHAH et al.		
	94	WO 02/05765	01/24/2002	SAMAIN et al.		English Counterpart
	95	WO 02/067877	09/06/2002	SCANCARELLA et al.		
	96	WO 02/080869	10/17/2002	VIDAL et al.		English Counterpart
	97	WO 04/028489	04/08/2004	FERARRI et al.		Abstract

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation
	98	Co-pending U.S. Appl. No. 10/528,835, filed March 23, 2005; Inventors: Xavier BLIN et al., (Attorney Docket No. 05725.1419-00000).	
	99	Co-pending U.S. Appl. No. 10/529,218, filed March 25, 2005; Inventors: Xavier BLIN et al., (Attorney Docket No. 05725.1417-00000).	

NON PATENT LITERATURE DOCUMENTS

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Examiner Signature		Date Considered	

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IDS Form PTO/SB/08: Substitute for form 1449A/PTO				<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				<i>Application Number</i>	10/528,698
Sheet	5	of	5	<i>Filing Date</i>	March 22, 2005
				<i>First Named Inventor</i>	Veronique FERRARI
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				<i>Examiner Name</i>	Michael P. Woodward
				<i>Attorney Docket Number</i>	05725.1422-00000

NON PATENT LITERATURE DOCUMENTS		
Initials	No.	(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	100	Co-pending U.S. Appl. No. 10/528,699, filed March 22, 2005; Inventors: Philippe ILEKTI et al. (Attorney Docket No. 05752.1415-00000).
	101	Co-pending U.S. Appl. No. 10/529,264, filed March 25, 2005; Inventors: Veronique FERRARI et al., (Attorney Docket No. 05725.1420-00000).
	102	Co-pending U.S. Appl. No. 10/529,266, filed March 25, 2005; Inventors: Xavier BLIN et al., (Attorney Docket No. 05725.1421-00000).
	103	Co-pending U.S. Appl. No. 10/529,318, filed March 25, 2005; Inventors: Xavier BLIN et al., (Attorney Docket No. 05725.1427-00000).
	104	English Derwent Abstract for EP 1 082 953
	105	English Derwent Abstract for EP 1 159 950
	106	English Derwent Abstract for FR 2 798 061
	107	English Derwent Abstract for FR 2 832 719
	108	English Derwent Abstract for FR 2 803 743
	109	English Derwent Abstract for WO 01/03538
	110	English Derwent Abstract for WO 04/028489
	111	International Search Report for PCT/FR03/002844 (Priority Application for U.S. Appl. No. 10/529,318), dated May 14, 2005, Ex. Loiselet-Taisne (Attorney Docket No. 05725.1427).
	112	International Search Report for PCT/FR03/002847 (Priority Application for U.S. Appl. No. 10/529,266), dated May 17, 2004, Ex. Loiselet-Taisne (Attorney Docket No. 05725.1421).
	113	International Search Report for PCT/FR03/02842 (Priority Application for U.S. Appl. No. 10/529,218), dated May 17, 2004, Ex. Loiselet-Taisne (Attorney Docket No. 05725.1417).
	114	International Search Report for PCT/FR03/02845 (Priority Application for U.S. Appl. No. 10/529,264), dated May 17, 2004, Ex. Loiselet-Taisne, (Attorney Docket No. 05725.1420).
	115	International Search Report for PCT/FR03/02848 (Priority Application for U.S. Appl. No. 10/528,835), dated May 17, 2004, Ex. Loiselet-Taisne (Attorney Docket No. 05725.1419).
	116	International Search Report for PCT/FR03/02846 (Priority Application for U.S. Appl. No. 10/528,699), dated May 17, 2004, Ex. Loiselet-Taisne (Attorney Docket No. 05725.1415)
	117	International Search Report for PCT/FR03/02843 (Priority Application for U.S. Appl. No. 10/528,698), dated May 17, 2004, Ex. Loiselet-Taisne (Attorney Docket No. 05725.1422 - present case).

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